

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TCB REMARKETING, LLC,

Plaintiff,

v.

Case Number 20-10626

Honorable David M. Lawson

METRO AUTO AUCTION, LLC,

Defendant.

ORDER DIRECTING DEFENDANT TO ANSWER THE COMPLAINT

On March 9, 2020, the plaintiff filed its complaint seeking recovery for alleged breaches of contractual obligations and fiduciary duties by the defendant. On April 14, 2020, the defendant filed a motion to dismiss. Pursuant to Federal Rule of Civil Procedure 12(a)(4), the Court may set a time for serving an answer when a motion has been served under Federal Rule of Civil Procedure 12. *See* Fed. R. Civ. P. 12(a)(4) (“Unless the court sets a different time, serving a motion under this rule alters these periods as follows”); *Hill v. Blue Cross and Blue Shield of Michigan*, 237 F.R.D. 613, 617 (E.D. Mich. 2006) (“[T]his Court recognizes that Rule 12(a)(4) also provides that a court may order an answer to be filed at a time *other than* after the motion to dismiss has been denied or the court has postponed consideration of the motion.”) (citing Fed. R. Civ. P. 12(a)(4)) (emphasis in original).

Accordingly, it is **ORDERED** that the defendant must file its answer to the complaint **on or before May 7, 2020**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: April 16, 2020